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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDREW JOHN GIBSON,

Defendant.

Case No. 2:14-cr-00287-KJD-CWH

ORDER

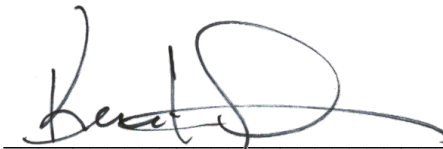
Before the Court for consideration is the Report and Recommendation (#116) of Magistrate Judge C.W. Hoffman entered November 30, 2016 recommending that Defendant's Motion to Dismiss Indictment for Fatal Errors Failure to State an Exact Offense (#93), Motion to Dismiss for Failure to Prove Commerce and/or Affecting Commerce (#95), and Motion to Dismiss due to Prejudice (#97) be denied. No Objection has been filed as of the date of this Order.

The Court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. § 636(b)(1) and LR IB 3-2. The Court determines that the Report and Recommendation (#116) of the United States Magistrate Judge, entered November 30, 2016, should be adopted and affirmed.

1 Accordingly, **IT IS THEREFORE ORDERED** that the Magistrate Judge's Report and
2 Recommendation (#116) entered November 30, 2016, are **ADOPTED** and **AFFIRMED**;

3 **IT IS FURTHER ORDERED** that Defendant's Motion to Dismiss Indictment for Fatal
4 Errors Failure to State an Exact Offense (#93), Motion to Dismiss for Failure to Prove Commerce
5 and/or Affecting Commerce (#95), and Motion to Dismiss due to Prejudice (#97) are **DENIED**.

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7 DATED this _14th_ day of April 2017.

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11 Kent J. Dawson
12 United States District Judge
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